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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,592	05/21/2002	Shu Nakajima	LAM2P322	2125
25920	7590	04/22/2004	EXAMINER	
MARTINE & PENILLA, LLP 710 LAKEWAY DRIVE SUITE 170 SUNNYVALE, CA 94085			HARRIS, ANTON B	
			ART UNIT	PAPER NUMBER
			2831	

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/030,592

Applicant(s)

NAKAJIMA ET AL.

Examiner

Anton B Harris

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Logan et al. (5,055,964) in view of Sun et al. (5,788,814).

Regarding claim 1, Logan et al. (col. 3 line 39-col.4 line 59) discloses an electrostatic chuck, comprising:

a metal base plate 26:

a layer 28 having a predetermined thickness adhesively bonded to the metal base plate

26:

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a planar electrode 12 positioned in the middle of the layer 28 relative to a thickness direction of the layer; and

a cooling gas channel 42 is formed on a top surface of the layer over the electrode 12 and within an outer peripheral edge of the electrode 16, but lacks a ceramic disc.

Sun et al. (col. 21, line 40) teaches a ceramic disc.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Logan et al. by providing a ceramic disc in order to support a plurality of subjects in view of the teachings of Sun et al..

Regarding claim 2, Logan et al. (col. 3 line 39-col.4 line 59) discloses that planar electrode 12 extends beyond the cooling gas channel 42.

Regarding claim 3, Logan et al. (col. 3 line 39-col.4 line 59) discloses cooling gas channel 42 comprises a ring shape along an outer peripheral edge of the layer 28, the chuck 10 further comprising gas feed orifices 38 located in a plurality of positions at a bottom portion of the gas cooling channel 42 and gas feed orifices 38 located in a plurality of positions on a circumference on a surface of the layer 28 in the center side of the chuck 10. See figure 3.

Regarding claim 4, Logan et al. (col. 3 line 39-col.4 line 59) discloses planar electrode includes a first electrode 12 and a second electrode 14, the first electrode 12 including:

a disc portion arranged in the center of said ceramic layer 28; and

a first extending portion extending from a part of the disc portion toward the outer peripheral edge 16 of the ceramic layer 28; the second electrode 14 including:

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a second extending portion arranged opposite to the first extending portion relative to the disc portion of the first electrode 12; and

a circular ring portion 12a connected to an outer edge 24 of the second extending portion so as to form the outer peripheral edge of the second electrode 14.

Regarding claim 5, Logan et al. (col. 3 line 39-col.4 line 59) discloses first electrode 12 further includes a plurality of first C-shaped ring portions at predetermined intervals so as to have different diameters, the first C shaped ring portions extending in C shapes from both sides of the first extending portion around the disc portion. See figure 3.

Regarding claim 6, Logan et al. (col. 3 line 39-col.4 line 59) discloses second electrode 14 further includes a plurality of second C-shaped ring portions at predetermined intervals so as to have different diameters, the second C shaped ring portions extending in C shapes from both sides of the second extending portion and being engaged with the plurality of first C-shaped ring portions of the first electrode 12. See figure 3.

Regarding claim 7, Logan et al. (col. 3 line 39-col.4 line 59) discloses a first disc-shaped ceramic material compact having a half of a thickness of a completed ceramic layer 28; forming an electrode 12 on a surface of the first ceramic material compact; preparing a second disc-shaped ceramic material compact having a half of a thickness of the completed ceramic layer and having a cooling gas channel 42 on its surface in a location overlying the electrode;

placing said second ceramic material compact on the first ceramic material compact so as to form a laminate;

firing the entire laminate to form the completed layer 28; and

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bonding the completed ceramic layer 28 to a metal base plate 26 by means of an adhesive layer.

Furthermore regarding claims 7 and 8, the methods disclosed therein are deemed as inherent in the assembly of the apparatus as claimed as fully met by the above reference Logan et al. and are subsequently rejected.

Response to Arguments

3. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anton B Harris whose telephone number is (571) 272-1976. The examiner can normally be reached on weekdays from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Dean Reichard, can be reached on (571) 272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

abh

4/19/04

A handwritten signature in cursive script, reading "Anthony Dinkins".

**ANTHONY DINKINS
PRIMARY EXAMINER**